



EQUAL OPPORTUNITIES COMMISSION  
VIRTUAL MEETING AGENDA  
MONDAY, AUGUST 7, 2023, 5:00 PM

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1. Call to Order and Roll Call
2. Hearing of Citizen Comments. *No formal action concerning citizen comments will be taken by the Commission during this meeting, although issues raised may become a part of a future agenda. Specific items listed on the agenda may not be discussed at this time; however, citizens are invited to speak to those specific issues at the time the Commission discusses a particular item.*
3. Approval of Minutes from April 3, 2023, and May 1, 2023, Equal Opportunities Commission Meetings
4. Old Business
  - a. Discussion of Hate Bias FAQ
  - b. Update on Walworth County Transitional Housing
5. New Business
  - a. Review of Equal Opportunities Commission Ordinance and Create a Visioning Session
6. Future Agenda Items
7. Next Meeting Date
8. Adjournment

It is possible that members of, and possibly a quorum of members of, other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information over which they may have decision-making responsibility; no action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice.

Anyone requiring special arrangements is asked to contact the City Manager's Office 24 hours prior to the meeting at 262-473-0104. Those wishing to weigh in on any of the above-mentioned agenda items, but are unable to attend the meeting, are asked to send their comments to Equal Opportunities Commission, c/o City Manager, 312 W. Whitewater Street, Whitewater, WI, 53190 or by email to [citymanager@whitewater-wi.gov](mailto:citymanager@whitewater-wi.gov).



ABSTRACT/SYNOPSIS OF THE ESSENTIAL ELEMENTS OF THE OFFICIAL ACTIONS OF THE EQUAL OPPORTUNITIES COMMISSION OF THE CITY OF WHITEWATER, WALWORTH AND JEFFERSON COUNTIES, WISCONSIN.

EQUAL OPPORTUNITIES COMMISSION MINUTES OF MONDAY, APRIL 3, 2023

1. Call to Order and Roll Call –The virtual meeting came to order at 5:01 pm. Present at the meeting were Common Council Representative Brienne Brown, Common Council Representative Jill Gerber and citizen member Terilyn Robles. Also present was staff support, City Manager John Weidl.
2. Hearing of Citizen Comments. – There were no citizens in attendance.
3. Old Business
  - a. Memo Concerning the Hate - Bias Reporting Form and Procedures – Weidl mentioned the agenda memo supplied to the EOC concerning the Hate/Bias Form and procedures, which the EOC had been considering for a while. Weidl, the Chief of Police and the City Attorney do not believe that non-police staff has the necessary expertise to investigate and make decisions on the types of complaints covered in the form and policy. It was recommended in the memo that the EOC could develop an information resource that could be made available to individuals who believe they have been a victim of a crime or discrimination or other improper conduct. Brown mentioned that the former Chief of Police introduced the form due to the Black Lives Matter movement. Years ago, there were concerns about police behavior, but it is not an issue now. Gerber said if it is not recommended then she agrees. Weidl said he will bring information that can be shared to the next meeting.
4. New Business
  - a. Discussion on the Equal Opportunities Commission Meeting Quarterly - Brown said the EOC was put together due to the Black Lives Matter movement, but there are other relevant topics to cover; asylum seekers, immigrants and homelessness. Brown doesn't think it is necessary to meet monthly. Gerber recommended to wait to decide until the May meeting when there will be a new group.
5. Future Agenda Items – a. Update by Brown from the Walworth County Homelessness Task Force, b. finalized document from the immigration attorney presentation c. discuss quarterly meetings.
6. Next Meeting Date – The next meeting will be held on Monday, May 1, 2023 at 5:00 pm.
7. Adjournment – Brown asked if there was a motion to adjourn the meeting. Gerber made a motion with a second from Robles

The motion passed by unanimous voice vote.

Ayes: Brown, Gerber, Robles

Noes: None

Abstained: None

Absent: None

The meeting ended at 5:12 pm.

Respectfully submitted,

Kathy Boyd, Executive Assistant

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ABSTRACT/SYNOPSIS OF THE ESSENTIAL ELEMENTS OF THE OFFICIAL ACTIONS OF THE EQUAL OPPORTUNITIES COMMISSION OF THE CITY OF WHITEWATER, WALWORTH AND JEFFERSON COUNTIES, WISCONSIN.

EQUAL OPPORTUNITIES COMMISSION MINUTES OF MONDAY, MAY 1, 2023

1. Call to Order and Roll Call –The virtual meeting came to order at approximately 5:04 pm. Present at the meeting were Common Council Representative Brienne Brown, Common Council Representative Lukas Schreiber, and citizen members Terilyn Robles and Maryanne Zimmerman. Also present was staff support, City Manager John Weidl.
2. Hearing of Citizen Comments. – There were no citizens in attendance.
3. New Business

- a. Discussion Hate/Bias FAQ – Weidl asked if the EOC members reviewed Police Chief Meyer's memo outlining the definition of a hate crime, what should someone do if they think they might be a victim of a hate crime, resources available if a situation doesn't rise to the level of a hate crime and the U.S. Department of Justice Reporting Hate Crimes & Hate Incidents information. Robles said the information was good and wondered about translations into other languages, not just Spanish. Weidl said it could be added to the city's website and social media. A press release could go out too. Robles asked about posters in public places and Weidl said yes. Brown asked if there was a motion to approve translation to Spanish (and possibly other languages) and posting to the city's website and social media. Schreiber made the motion with a second from Robles.

The motion passed by unanimous voice vote.

Ayes: Brown, Schreiber, Robles, Zimmerman

Noes: None

Abstained: None

Absent: None

- b. Discuss Frequency of Equal Opportunities Commission Meetings – Brown mentioned that the EOC was started during the Pandemic to discuss issues related to the Black Lives Matters movement. The commission is still important due to the influx of immigrants and the uproar over the Library's LGBTQ programming, but it would be ok to meet four times a year. Zimmer and Robles agreed with meeting quarterly. A motion was made by Zimmerman to hold the EOC meetings quarterly with a second by Robles

The motion passed by unanimous voice vote.

Ayes: Brown, Schreiber, Robles, Zimmerman

Noes: None

Abstained: None

Absent: None

Weidl said that staff would reach out to the commission members to determine future meeting dates.

- c. Update on Walworth County Homelessness Task Force – Brown attended the meeting and indicated that Whitewater is not as much an issue because unhoused people generally move along, although with the influx of immigrants there are more issues. Robles indicated that families are doubling and tripling up in one residence, living in unofficial residences (not normal housing) and living out of cars. Robles mentioned the McKinney-Vento Homeless Assistance Act, which allows Whitewater Unified School District to offer services. Brown said the county is looking for land to build transitional housing. Walworth County Workforce Housing has \$1 million to turn apartment buildings into Chapter (Section) 42 affordable housing. Zimmerman said that New Beginnings mainly works with abused women and has resources to help with housing, clothing and gas cards. Robles has had success working with them at school. Robles said that there are 75 homeless students (4%), but the number could be higher if families are not sharing their status.
4. Future Agenda Items – Brown will share more information about housing from the county. Weidl said after new members are introduced, he would like the EOC to review the ordinance and have a visioning session.
5. Next Meeting Date – Staff will reach out to the EOC members to determine new quarterly meeting dates.
6. Adjournment – Brown asked if there was a motion to adjourn the meeting. Robles made a motion with a second from Schreiber  
The motion passed by unanimous voice vote.

Ayes: Brown, Schreiber, Robles, Zimmerman

Noes: None

Abstained: None

Absent: None

The meeting ended at 5:24 pm.

Respectfully submitted,

Kathy Boyd, Executive Assistant





## Equal Opportunities Commission Agenda Item

Meeting Date: April 3, 2023

Agenda Item: EOC Hate Bias Form/Procedures

Staff Contact: John S. Weidl, City Manager; [jweidl@whitewater-wi.gov](mailto:jweidl@whitewater-wi.gov), 262-473-0104  
(name, email, phone)

### BACKGROUND

(Enter the who, what when, where, why)

**To: Equal Opportunities Commission**

**From: City Manager John Weidl**

**RE: EOC Hate Bias Form/Procedures**

Staff have had the opportunity to carefully consider the suggestion that the City of Whitewater approve a Hate Bias Report Complaint process and have met with the Police Chief and City Attorney concerning the proposal and have the following recommendation.

#### Executive summary

While the staff strongly supports the goals and principles of such a process, we as a group do not recommend that a process be implemented in the City.

#### Basis for recommendation

We do not believe our City non-police staff has the expertise to investigate and make findings and decisions on these types of complaints. This process could include interpreting complex statutes and codes and applying them to the facts and also involve other difficult analysis and decisions. Because a City Staff "violation" finding, could have a serious effect on an individual's reputation and employment opportunities etc., it would be necessary to have proper due process in place which should include a hearing type opportunity which would require notice and the right to be heard. This is often like a judicial trial proceeding. The draft procedure lacks the type of specific process that would be needed to provide this due process. There are various Federal and State laws protecting individuals from this type of conduct and there are agencies that are trained to investigate and process offenses. If a violation is found to have taken place, there are procedures in place to prosecute the allegations with highly skilled individuals including investigators, attorneys and administrative law judges handling various levels of the process. Even with these highly trained individuals involved in the proceedings, there are appeals to the courts because there are many difficult decisions both legally and factually.

One alternate option would be for the EOC to develop an information resource that could be made available to individuals who believe they have been a victim of a crime or discrimination or other improper conduct.

### STAFF RECOMMENDATION

Develop an information resource and make clear that the police department will investigate criminal complaints. Do not ask staff to investigate and make findings regarding non-criminal complaints.

### ATTACHMENT(S) INCLUDED (If none, state N/A)

1. Draft Hate Bias Form and Procedures



## Form Center

My Forms

### Hate - Bias Reporting Form

Save Progress

This form is to be used for reporting of hate crimes, hate speech, bullying, unethical or discriminatory behavior occurring within the City of Whitewater by visitors, community members or city employees. The information is sent directly to the City Manager for action.

If this is an **EMERGENCY** situation, **CALL 911**. Do not use this form to report incidents that present an immediate threat to health and safety.

Complainant's First and Last Name:

Complainant's Phone:

Complainant's Email Address:

Please enter the following information. If something is unknown, simply state "unknown".

Date of Incident:\*

Time of Incident:\*

Location of Incident:\*

Nature of Alleged Bias\*

Please check all the categories below that describe this incident (required)

- |   |  |
|---|--|
| <input type="checkbox"/> Age                        | <input type="checkbox"/> Pregnancy                   |
| <input type="checkbox"/> Disability                 | <input type="checkbox"/> Race or Color               |
| <input type="checkbox"/> Gender Identity/Expression | <input type="checkbox"/> Religion                    |
| <input type="checkbox"/> Genetic Information        | <input type="checkbox"/> Sex                         |
| <input type="checkbox"/> Marital Status             | <input type="checkbox"/> Sexual Orientation          |
| <input type="checkbox"/> National Origin            | <input type="checkbox"/> Veteran Status              |
| <input type="checkbox"/> Parental Status            | <input type="checkbox"/> Other Bias (describe below) |



### Complaint or Issue Narrative

### Names and Contact Information of Individuals Involved

### Supporting Documentation

No file chosen

Photos, video, email and other supporting documents may be attached below. There is a 5GB maximum total size.

Attachments require time to upload so please be patient after submitting this form

### Disclaimer:

Anonymously filed complaints will be investigated, but you will not be notified of the outcome.

Information submitted on this form will be sent via email. To protect sensitive information, do not submit the following information on this form:

- Social Security numbers
- driver's license numbers
- bank account information and routing numbers
- medical information
- passport numbers
- and passwords

**Whoever knowingly makes a false complaint will be subject to a Class A forfeiture.**

protected by reCAPTCHA

[Privacy](#) - [Terms](#)

\* indicates a required field

## Quick Links

[Tax Information](#)

[Jobs](#)

[Parking](#)

## Helpful Links

[Open Records](#)

[Dog Licenses](#)

[Crime Alerts](#)

## Frequently Asked Questions

1. [Are licenses required for pets?](#)
2. [What are the animal control rules in the City of Whitewater?](#)
3. [Where is parking prohibited?](#)

 Government Websites by [CivicPlus®](#)



## Procedure – Hate-Bias Reporting Form

- I. Hate-Bias Reporting Form Submission
  - A. The link to the Hate-Bias Reporting Form can be found on the City of Whitewater web site under the following areas:
    1. How Do I page under Submit
    2. Equal Opportunities Commission page
    3. City Manager's page
  - B. Once submitted, the form is emailed to the City Manager and Executive Assistant
    1. the individual submitting the form will receive a canned response from the website
    2. The Executive Assistant will respond to the complainant within ~~two to five days~~ **as soon as possible**, if an email address or phone number is supplied on the form
    3. Anonymous complaints will be investigated, but the individual submitting the form will not be notified of the outcome.
    4. **Anonymous complaints will be forwarded to the Equal Opportunities Commission and the Common Council.**
- II. Form Review
  - A. Hate Crimes vs. Bias or Hate Incident (per U.S. Department of Justice)
    5. Hate Crimes: At the federal level, a **crime** motivated by bias against race, color, religion, national origin, sexual orientation, gender identity, or disability
    6. Bias or Hate Incident: Acts of prejudice that are not crimes and **do not involve violence, threats, or property damage**
  - B. Formal vs. Informal Complaints
    1. Informal complaints will be addressed by the City Manager through email or phone call if an email address or phone number is supplied on the form
    2. Formal complaints will be forwarded for investigation
  - C. The form is reviewed by the City Manager
    1. The complaint is forwarded as follows:
      - a. Criminal complaints (threats, violence, property damage) – Police Department
      - b. Non-criminal complaints (involving citizens, city employees, board, committee, commission or council members) – City Manager and HR Manager or City Attorney
      - c. Non-criminal complaints concerning the City Manager – Common Council President and City Attorney
- III. Investigation
  - A. For individuals who supply contact information, status updates on the investigation will be sent as updates occur.
  - B. For complaints sent to the Police Department
    1. Request acknowledgement of receipt of complaint
    2. Request copy of report when completed
  - C. **Investigation information will be released as appropriate.**
  - D. **Complaint updates will be submitted to the Equal Opportunities Commission.**
- IV. Dispositions
  - A. All known individuals submitting a form will receive notification of the investigation outcome **as soon as possible**.
- V. Documenting Form Submissions



## Procedure – Hate-Bias Reporting Form

A. All form submissions will be documented capturing the following;

1. date and time of the form submission
2. complainant information
3. type of complaint
4. dates of contact with the complainant
5. final disposition

**VI. Complaint Retention**

- A. All complaints will be retained for seven years after the resolution of the complaint.
- B. The City Clerk shall retain the records.

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